

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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In the Matter of)

Preparation for International)
 Telecommunication Union World)
 Radiocommunication Conferences)

IC Docket No. 94-31

To: The Commission - Mail Stop 1170

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JUN - 7 1995

EX PARTE PRESENTATION OF PHONIC EAR, INC.

1. Pursuant to Section 1.1206(a)(1) of the Commission's Rules, Phonic Ear, Inc. ("Phonic Ear") hereby presents this written statement to the Commission in response to the "Joint Supplemental Reply Comments" submitted on May 18, 1995, by CTA Commercial Systems, Inc., et al. ("CTA Reply").

2. The CTA Reply was filed by companies representing all of the pending applicants for new or modification facilities in the Non-Voice, Non-Geostationary Mobile Satellite Service ("NVNG MSS") and jointly proposed specific frequency bands for allocation to the NVNG MSS at the 1995 World Radio Conference ("WRC-95"). Included was a proposal to authorize the use of the 216-216.5 MHz band and the 217.5-218 MHz band for feeder downlinks.

3. Phonic Ear urges the Commission not to adopt or recommend any proposal to authorize transmissions from satellites in the 216-216.5 MHz band pending the conclusion of WT Docket No. 95-56,^{1/} in which the Commission is considering the

^{1/} Notice of Proposed Rule Making, FCC 95-174, released May 16, 1995.

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establishment of a new Low Power Radio Service ("LPRS") in the 216-217 MHz band, to include law enforcement tracking systems, auditory assistance devices for the hearing-impaired, and health care assistance devices for disabled and ill persons.

4. Phonic Ear was one of the petitioners urging the establishment of the LPRS for auditory assistance devices and other health care systems. Auditory assistance devices currently operate in the 72-76 MHz band, where in many cases they are subject to serious interference from high-powered paging links and other fixed systems operating in that band. A critical aspect of the proposal for the 216-217 MHz band is that the band be restricted to low-power, localized devices, so that users of auditory assistance devices will be able to enjoy interference-free hearing.^{2/} Blanketing the earth with signals in that band from high above should not be permitted, or if permitted at all, should not be authorized until the parameters of the LPRS are known and adequate protections can be established.

Irwin Campbell & Tannenwald, P.C. Respectfully submitted,
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Peter Tannenwald

June 7, 1995

Counsel for Phonic Ear, Inc.

^{2/} Interference is especially harmful to students, who may miss instructions from their teachers, and is extremely annoying to patrons at concerts and other public events when what they are listening to is blanketed out by an unwanted signal.

CERTIFICATE OF SERVICE

I, Laura Ann Campbell, do hereby certify that I have, this 7th day of June, 1995, caused to be sent by first class United States mail, postage prepaid, copies of the foregoing "Ex Parte Presentation of Phonic Ear, Inc.:" to the following:

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